

Delegated Report		Analysis sheet		Expiry Date:		28/08/2012	
		N/A		Consultation Expiry Date:		30/07/2012	
Officer				Application Number(s)			
Nicola Tulley				2012/3449/P			
Application Address				Drawing Numbers			
132 Kilburn High Road London NW6 4JD				See draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Change of use of first, second, and third floors from bedsit accommodation (Class C4) to 1 x 2-bedroom and 2 x 1-bedroom flats (Class C3) and installation of railings at rear third floor level in connection with use of flat roof as a terrace.							
Recommendation(s):		Approve conditional consent subject to S106 legal agreement					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	23	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		23 neighbouring owners/occupiers were consulted. No letters of comment or objection have been received.					
CAAC/Local groups* comments: <small>*Please Specify</small>		No local groups have commented to date.					

Site Description

The application site relates to a three storey terraced building on Kilburn High Road, in close proximity to the junction with Quex Road. There is an existing shop unit at ground floor level with residential accommodation on the upper floors.

The building is not located within a conservation area nor does it relate to a listed building. The site is however located within Kilburn Town Centre.

Relevant History

No relevant planning history.

Relevant policies

The London Plan: Spatial Development Strategy for Greater London: 2011

LDF Core Strategy and Development Policies 2010

Core Policies

CS5 Managing the impact of growth and development

CS6 Providing quality homes

CS11 Promoting sustainable and efficient travel

CS14 Promoting high quality places and conserving our heritage

Development Policies

DP2 Making full use of Camden's capacity for housing

DP4 Minimising the loss of affordable housing

DP5 Homes of different sizes

DP6 Lifetime homes and wheelchair homes

DP9 Student housing, bedsits and other housing with shared facilities

DP18 Parking standards and limiting the availability of car parking

DP24 Securing high quality design

DP26 Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2011

CPG1 Design

CPG2 Housing

Assessment

Proposal & background

The applicant has proposed to convert the first, second and third floors into 1x two bedroom flat and 2x one bedroom flats with a roof terrace and associated railings. There is no planning history to suggest how or if the upper floors of this building were subdivided. The building is not a licensed HMO and further inspection of tax records lists the following: Flat first floor; Maisonette second and third floors. Two council tax records for second and third floors indicate that these may have combined into one unit in 1993.

However, on site inspection it was evident that there were many communal parts which could be accessed by all residents, bedrooms and small kitchenettes were secured behind lockable doors. There would have been a total of 6 bed spaces with communal toilets and shower room. The current standard of accommodation is considered substandard, with large areas of damp, holes, exposed wires, and bathroom facilities.

The following will assess: the principle change in use into self contained accommodation; quality of residential accommodation; impact upon neighbouring amenity; transportation & refuse.

Conversion of residential accommodation

Core policy CS6 seeks to secure sufficient housing of the right type and quality. The site as existing would fall into the category of bedsit rooms that share facilities such as toilets, bathrooms, and kitchens. These are often known as HMO's, some with 3-6 occupiers fall within Use Class C4. Permitted Development allows housing in Use Class C4 to be occupied lawfully as a self contained dwelling in Use Class C3. As such the Council will not apply policy DP9 to a change of use from C4 to C3 unless the permitted development rights have been removed. Permitted development rights have not been removed from this premise.

The Council seeks to support the development of mixed and balanced communities and development policy DP5 aims to secure a range of unit sizes which are of higher priority in the borough. According to the Priorities Table one bedrooms and studio accommodation is of lower priority and 2 bedrooms are of very high priority, with 3 bedrooms+ being of medium priority for market sale. The proposal would provide a mix of low to very high priority unit types.

Development Policy DP5 states further that where development is for the conversion of existing homes the Council will seek to minimise the loss of dwelling sizes that are given priority. In consideration of the existing bedsits which would provide accommodation for a larger unit an on balance judgement is made given the existing space to work with. There would have been scope to convert the second and third floors into a large three bedroom unit with rooftop terrace however; this is not reason to refuse this application.

Quality of residential accommodation

As stated above, CS6 seeks to secure high quality housing in the borough and DP26 requires developments to provide an acceptable standard of accommodation in accordance with standards contained within Camden Planning Guidance CPG2.

Unit	Measured internal floorspace	Minimum Floorspace required CPG2
A	48m ²	48m ²
B	58m ²	61m ²
C	44m ²	48m ²

Flat A would meet floorspace requirements as defined by CPG2 in addition to bedroom size with connected dressing area, bathroom, store cupboard, utility, and separate WC.

Flat B would fall under the required minimum floorspace for a 3 person unit by approximately 3m², with bathroom and store cupboard. Whilst this unit would fall under the minimum requirements, given that the second bedspace could be converted into a study on plan and that the level of circulation and space felt comfortable for a 2/3 person unit the standard of accommodation in this instance is deemed acceptable, on balance.

It is considered that Flat C would most suit accommodation for a studio rather than one bedroom unit, as it falls under the minimum floorspace standard by 4m² for 2 persons and falls below the expected floorspace for a double room by 1m². This unit would however provide a separate living area from the bedroom and bathroom and provide a store cupboard. In addition this unit would benefit from a large roof terrace (3.4m wide by 5.6m long).

A Lifetime Homes checklist was requested at validation stage of this application however, this assessment has not been submitted. The application of Lifetime Homes standards is required for all developments, including conversions for self-contained housing in accordance with policy DP6 of Camden's LDF. The Council acknowledges that the design or nature of some existing properties means it will not be possible to meet every standard of the checklist, but each scheme should meet as many features as possible. As such, all housing proposals need submission of a Lifetime Homes checklist which demonstrates how each standard would be met with full justification why any individual element cannot be met. The submission of a checklist will be required by condition which may necessitate minor internal changes to the internal layout of the proposed units.

Amenity

There is an existing door at the rear third floor level which provide access on top of the second floor roof, this area has not been secured by railings as per other buildings in the terraced group. The terrace would encompass the full extent of the roof and feature secure railings which would be set behind the existing parapet wall. In consideration of the proportion of terraces and railing to the rear of this terrace, the design and appearance of the proposed is not considered harmful to the character or appearance of the building.

It was evident on -site that an established terrace at this level would provide direct overlooking into neighbouring units. While there are a number of terraces to the rear of Kilburn High Road and more recent development opposite (Leith Yard) and that a number of windows already provide the opportunity for direct

overlooking, it is considered that a privacy screen with details to be submitted should be secured to minimise the impact of overlooking upon neighbouring occupiers.

Transportation, refuse & recycling

The application site is located in an area which has excellent public transport accessibility and within Controlled Parking Zone 'CAQ'. The Council seeks to secure the use of more sustainable means of travel and to reduce the need to travel by car. Policies CS11 and DP18 require developments in these areas to be car free in accordance with the Council's objectives, as such car free to be secured by a S106 agreement will be sought.

Currently no area is designated for the storage of refuse, recycling, or cycle storage for any premise in this group and the proposal does not introduce such storage. Development Policy DP26 requires developments to provide facilities for the storage of waste, recycling, and cycle storage. Given that the site as existing does not benefit from such outside space for external storage and its location on Kilburn High Road where waste collection is regular, the lack of provision in this instance is deemed acceptable.

Conclusion

The proposed conversion of the existing, vacant, bedsit accommodation into 2x one bedroom and 1x 2 bedroom self contained units are deemed acceptable for the reasons outlined above, in accordance with policies: CS5; CS11; CS14; DP2; DP4; DP5; DP6; DP18; DP24; & DP26 of Camden's LDF.

Recommendation

Grant conditional permission subject to S106 legal agreement to secure car free.

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